

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40173 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- SARAI RANJAN District- Samastipur

Sushil Kumar Ram Son of Shankar Ram @ Shankar Mochi R/O- Jhakhara,
Jhakhra, P.S.- Sarai Ranjan, District- Samastipur, Bihar-848127

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Keshav Bhardwaj
For the Opposite Party/s	:	Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-07-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Sarai Ranjan P.S. Case No. 22 of 2025 dated 04.02.2025 registered under Section 80(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the F.I.R. the marriage of informant's sister – Gauri Kumari (deceased) with the petitioner was performed as per Hindu rites and customs on 29.03.2023. It is alleged that one month after the marriage the in-laws of her sister started demanding Rs. 1 Lakh as dowry and due to non-fulfillment of the demand they started torturing and harassing her both mentally and physically. On the fateful day of 04.02.2025 at about 01:30 p.m. the informant's elder sister Indu Devi informed him on phone that Gauri was strangled to death by her in - laws. Upon this, the informant with his brother and villagers



visited to his sister's matrimonial home where he saw his sister's dead body kept on veranda of the house and marks of injury of her neck and arm.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case. He submits that neither the petitioner nor any of his family members ever demanded any dowry, money or valuable items from the deceased or her family at any point of time either before or after the marriage. He further submits that the deceased was short tempered and emotionally volatile and the unfortunate incident appears to be a result of some minor domestic dispute culminating in suicide. The petitioner was not present at the crime scene at the time of incident which further demonstrates his non involvement. He next submits that the deceased was cremated in presence of her family members including the informant.

5. Learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner is the husband of the victim who was done to death within two years of marriage.

6. I have heard learned counsel for the parties. From perusal



of the record it appears that marriage of the victim (deceased) was solemnized with the petitioner on 29.03.2023 and within two year of marriage the informant's sister has died an unnatural death in her matrimonial home. The nature of death is not important as to whether it was natural, accidental, homicidal or suicidal but within two years of marriage the informant's sister has been found dead and there is close proximity of time between demand of dowry and death of the informant's sister. There is presumption against the petitioner under Sections 117 & 118 of the Bharatiya Sakshya Adhiniyam.

7. Considering the gravity of offence, severity of punishment, the fact that petitioner is the husband of the victim and the victim died within two years of marriage, accordingly, I am not inclined to grant the privilege of anticipatory bail to the petitioner. The same stands rejected.

8. However, if petitioner surrenders and seeks regular bail, it is expected that the learned court below shall consider the prayer for bail without being prejudiced by the fact that present anticipatory bail application has been rejected by this court.

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(Anil Kumar Sinha, J)

